



— State of —
North Dakota

Office of the Governor

John Hoeven
Governor

Executive Order 2007-12

WHEREAS, the people in North Dakota are facing extremely low inventories and outages of petroleum products, particularly gasoline and diesel supplies, caused by the temporary reduction of production as a result of maintenance to several refineries and other natural disasters coupled with the increase demand due to the harvest season; and

WHEREAS, drivers of delivery trucks are required to wait for several hours at alternative terminals across state for loading, which limits their ability to transport product; and

WHEREAS, the states of Nebraska and South Dakota have declared emergencies and waived the hours of service requirements until September 9, 2007; and

WHEREAS, it is the responsibility of the state to assist the people of North Dakota in addressing the emergencies, disasters, and other hardships that may face the state and its citizens.

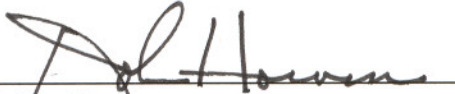
NOW, THEREFORE, I, John Hoeven, Governor of North Dakota, by virtue of the authority vested in me by Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code § 37-17.1, do hereby declare that a state of emergency exists in North Dakota that requires relief from North Dakota Century Code § 39-32-02 pertaining to hours of service for drivers of commercial motor vehicles while transporting fuels to customers.

This order is issued on the foregoing bases and on the following conditions:

1. Nothing in this order shall be construed to relieve Carriers operating under this order from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, or parts and accessories necessary for the safe operation of vehicles.
2. Carriers, while under this order, shall not require or allow fatigued drivers to operate a motor vehicle. A driver who informs a carrier that she/he needs immediate rest shall be given at least ten consecutive hours before the driver is required to return to service.

This order is effective immediately and shall remain in effect for the duration of the emergency or until 12:01 a.m. CDT September 9, 2007, whichever is less.

Executed at Bismarck, North Dakota, this 20 day of August 2007.



John Hoeven
Governor

ATTEST:


Secretary of State

Deputy